# CRIMINAL DOCKET UNITED STATES DISTRICT COURT

	TITI	E OF CASE					ATTORN	EYS		
THE UNITED STATES			For U.S.: James E. Ritchie							
vs.				Assistant U. S. Attorney						
	John E	. McElwain								~
		•								
						For Defendant: G. Raymond Bassman, (CT.Ap				
						212 S. Mi	.ssour	ci	,	~
						Claremore	, Okl	La.,	7401	-7
PROBAT:	ION-									
			1		T	NAME OR	II	I	T	
STAT	TISTICAL RECORD	COSTS		7	DATE	RECEIPT NO.	RE	c.	DI	SB.
J.S. 2 maile	ed 5-2-67	Clerk								
J.S. 3 maile		Marshal								
	iquor-Mash-Still	Docket fee								
Title 26;	Secs.5179(a) 5601(a)(7); (a)(2) & 1)									
Sec. 5205	(a)(2) & ''									
5004(a)(	1)							-		
					The state of the s				And the second s	
DATE			P	ROCEED	INGS					
<del>1</del> -25 <b>-</b> 67	Indictment, fi									
+-25-67 +-25-67	Record vote of the Grand Jury, filed in open Court. b Ordered by the Court that the bond of the defendant is fixed in the of \$1,500.00. (Allen E. Barrow - Judge)			he						
,										
<b>1-25-67</b> -26 <b>-</b> 67	Warrant for the arrest of the defendant, issued. b Bond in the sum of \$1000.00, filed. (personal bond)									
		ring G. Raymond Bassman, as attorney for defendant, filed ring methods and conditions of release, filed. e								
5-29-67	Warrant for a at Oklahoma C	rrest of def	enda	nt re	eturned	, filed - de	efend	ant	arre	ste
_	Marshal at Tu	lsa, Okla.	b							
7-11-67	Defendant prese of indictment,	ent in person arraigned an	i and id er	l rep iters	resente pleas	d. Defendation of GUILTY t	nt wa o Cts	ives	rea 2&3.	din
	Court allows de	efendant to w	ithd	lraw	pleas o	f GUILTY an	d ent	er p	leas	of
	NOLO CONTENDERI	s as to Cts.	و 2 و ⊥	.დ <b>ქ</b> ∙						

Judgment & Sentence- John E. McElwain (Age 54)
Ct. 1- Probation 3 months from this date.
Ct. 2- Probation 3 months from this date.
Ct. 3- Probation 3 months from this date.

DATE	PROCEEDINGS
-11-67 -11-67	FURTHER ADJUDGED that the period of probation in Cts. 2&3 shall run concurrently with period of Probation in Ct. 1(AEB-J)h Order of Prob. filed & entered. (AEB-J)h Two c.c. of Order delivered to Prob. Office.h

Federal Building, Tulsa, Okla.

Form AO 104

BEFORE\_

## UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma.

Milam M. Ewing

(Name of Commissioner)

### RECORD OF PROCEEDINGS—MISCELLANEOUS

This form should be used to record proceedings for which Forms AO 100 and AO 101 are not adapted, such as applications

in civil or admi nonpayment of criminal procee	ralty cases, attachments and subsequent seamen's wages, civil rights proceedings	in civil cases, proceedings for the release of poor convicts, references hearings in internal revenue matters, proceedings to settle or certify, detentions of witnesses on removal proceedings in connection with tc. A separate page should be used for each proceeding, showing the each step taken.
Commissioner's Docket No	2, Case No808	
Management and development and development and the second and the		Grand Jury Indictment.
UNITED :	STATES OF AMERICA	Cr-# 49- 1967 FILED
	vs.	
John E	. McElwain (Legal)	(Nature of proceeding) JUL -4 1967
		NOBLE C. HOOD  Clerk, U. S. District Court
DATE	Above defendant presen	ted for bond purpose only, having
1967	been arrested in Oklaho	ma City and removed to this district.
6-26	Released on personal bo	nd of \$1000.00. On affidavit for
	Counsel, G. Raymond Bos	sman of Claremore, Oklahoma was
	Appointed by the Court	to represent defendant.

DATE	
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TAXABLE DESCRIPTION OF THE PARTY OF THE PART	
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THE THE PARTY AND THE PARTY AN	
fied to be	a correct transcript of Docket Entries
DJ	e a correct transcript of Docket Entries.    une 28,

UNITED STATES COMMISSIONER 67-CR-49

Northern DISTRICT OF Oklahoma

## RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE	AMIN B. BALLEN	iek fede	RAL BUILDING, TULSA, OKLAHOMA.
DII VIII	(Name of commissi	oner) Sec: 5179	(a), 5601 (a) (7) & 5205(a) (2)
Commiss	SIONER'S	Complaint filed on March	20, 1967 by Wm. J. Gibson Investigator , charging violation of
DOCKET NO.	CASE NO	Official title A & TT,	investigator , charging violation of
THE UNITE		19 7 at Ottawa C	e, Section 55000, on 7-1/-
JOHN E. McE		division of the Nort	hern district of Oklahoma. an unregistered still set up g mash fit for distillation ises, Possessing distilled
***************************************		as follows: POSSESS for operation, Makin	an unregistered still set up
***************************************	******	on unauthorized prem	ises, Possessing distilled
	*********	I SATTITOS ONS THENCH TOTAL	e container thereof not having
,	***************************************	Stamp at 1 1xed there to	o •
WADDANTS OD SIIMI	NOME TESTIED.		
Date	20, 1967 Warrant	/Summons for John E. Mc	Elwain
4 . (	C. C. TO ARV	r U. S. Marshal or Anv	Authorized U.S. Of (Name of defendant)
Substance of 1	return		FIIFD
Data	Warrant	/Summons for	76,789
to (nome and title	of officer)	Summons for	MAY - 4 1967 (Name of defendant)
Substance of 1	return		
****	******		NOBLE C. HOOD
PROCEEDINGS ON FIF	RST PRESENTATION OF	Accused to Commissioner:	Clerk, U. S. District Court
Date	Arrested	by	on warrant of(Name of issuing officer)
			without warrant.
Appearances	)	(Name)	(Address)
Appearances	)	(Name)	(Address)
	for accusedken	(Name)	(Address)
	for accusedken	(Name)	(Address)
Proceedings ta	for accusedken(Here insert with dates,	(Name)  (Name)  when appropriate, a seriatim account of esse	(Address)
Proceedings ta	ken (Here insert with dates,	(Name)  (Name)  when appropriate, a seriatim account of essues of complaint and right to retain counsel and	(Address)  (Address)  ential steps taken at hearing such as "complaint prepared,"
Proceedings ta	for accusedken(Here insert with dates,	(Name)  (Name)  when appropriate, a seriatim account of essues of complaint and right to retain counsel and	(Address)  (Address)  ential steps taken at hearing such as "complaint prepared,"  i preliminary hearing": "preliminary examination waived,"
Proceedings ta	for accused	(Name)  (Name)  when appropriate, a seriatim account of essential	(Address)  (Address)  ential steps taken at hearing such as "complaint prepared,"  i preliminary hearing": "preliminary examination waived,"
Proceedings ta	for accused	(Name)  (Name)  when appropriate, a seriatim account of essential	(Address)  (Address)  ential steps taken at hearing such as "complaint prepared,"  preliminary hearing": "preliminary examination waived,"  licted by Grand Jury -
Proceedings ta	for accused	(Name)  (Name)  when appropriate, a seriatim account of essential	(Address)  (Address)  ential steps taken at hearing such as "complaint prepared,"  preliminary hearing": "preliminary examination waived,"  licted by Grand Jury -
Proceedings ta	for accused	(Name)  (Name)  when appropriate, a seriatim account of essential	(Address)  (Address)  ential steps taken at hearing such as "complaint prepared,"  i preliminary hearing": "preliminary examination waived,"  licted by Grand Jury -  Benjamin B. Ballenger  3. Commissioner.
Proceedings ta  if arrest is without wa  if that is the fact; an  Note: On  Bench Warr	for accused.  (Here insert with dates,  rrant: "defendant informed of y adjournments taken, etc.  April 25, 196 eant issued.	(Name)  (Name)  when appropriate, a seriatim account of essential	(Address)  (Address)  ential steps taken at hearing such as "complaint prepared,"  i preliminary hearing": "preliminary examination waived,"  Licted by Grand Jury -  Benjamin B. Ballenger  3. Commissioner.
Proceedings ta  if arrest is without wa  if that is the fact; an  Note: On  Bench Warr	for accused	(Name)  (Name)  when appropriate, a seriatim account of essent of complaint and right to retain counsel and some of above defendant Ind.  S/ F. U. S.	(Address)  (Address)  ential steps taken at hearing such as "complaint prepared,"  I preliminary hearing": "preliminary examination waived,"  Licted by Grand Jury -  Benjamin B. Ballenger  Commissioner.
Proceedings ta  If arrest is without wa  If that is the fact; an  Note: On  Bench Warr  Outcome	for accused	(Name)  (Name)  when appropriate, a seriatim account of essent of complaint and right to retain counsel and S/ HU. S.	(Address)  (Address)  ential steps taken at hearing such as "complaint prepared,"  I preliminary hearing": "preliminary examination waived,"  Benjamin B. Ballenger  Commissioner.  ded
Proceedings ta  If arrest is without wa  If that is the fact; an  Note: On  Bench Warr  Outcome	for accused	(Name)  (Name)  (Name)  when appropriate, a seriatim account of essential es	(Address)  (Address)  ential steps taken at hearing such as "complaint prepared,"  i preliminary hearing": "preliminary examination waived,"  licted by Grand Jury -  Benjamin B. Ballenger  Commissioner.  ded
Proceedings ta  if arrest is without wa  if that is the fact; an  Note: On  Bench Warr  Outcome	for accused.  (Here insert with dates,  rrant: "defendant informed of y adjournments taken, etc.  April 25, 196 Pant issued.  , 19  , of district court	(Name)  (Name)  (Name)  when appropriate, a seriatim account of essential es	(Address)  (Address)  ential steps taken at hearing such as "complaint prepared,"  I preliminary hearing": "preliminary examination waived,"  Benjamin B. Ballenger  Commissioner.  ded

SUBPOENAS FOR WITNESSES ISSUED:	•)		
at request of (name of party)			
at request of (name of party)	s)		
at request of (name of party)  Substance of return	5)		
PRELIMINARY EXAMINATION:  (Not to be used if case was disposed of at first presentation)	United States (Name) (Address)		
DateAppearances for	Accused (Name) (Address)		
WITNESSES FOR UNITED STATES: (List names and addresses)		ACCUSED: (List name:	
Witness payroll containingnames certified		, ,	
Proceedings taken		***************************************	***************************************
Outcome			
Bail fixed, 19 Amount, \$deposited by (name)	Address		
transmitted to clerk of district court[or] by surety (names)and	Address	·	
who justified by affidavit, 19, 19,			
Certified to be a correct transcript.	, 19 <sup>67</sup>	To robb a succ	
Transmitted to Clerk of United States District C			
	Llyam	m/2 Melen	tes Commissioner.
	//	United Bu	woo commondation.

### UNITED STATES COMMISSIONER

Northern District of Oklahoma.

### RECORD OF PROCEEDINGS—MISCELLANEOUS

Before	Milam M. Ewing (Name of Commissioner)	, Federal Building, Tulsa, Oklahoma.
for search warra in civil or admir nonpayment of criminal proceed	nts, extradition proceedings, depositions alty cases, attachments and subsequent seamen's wages, civil rights proceedings	hich Forms AO 100 and AO 101 are not adapted, such as application, in civil cases, proceedings for the release of poor convicts, references thearings in internal revenue matters, proceedings to settle or certifys, detentions of witnesses on removal proceedings in connection with the cach step taken.
Commissioner's Docket No	, Case No784	Affidavit for Search Warrant
UNITED	STATES OF AMERICA	filed 3-17-67 by Wm. J. Gibson,
<u>UNLIEU</u>	vs.	A & TT, Investigator for described
John D	oe Farm Premises	premises. (Nature of proceeding)  FILED  16,784  MAY -4 1967
DATE		NOBLE C. HOOD
2062	Aborro Consolo Hammer	Clerk, U. S. District Court
1967	Above Search warran	t executed by Wm. J. Gibson, A & TT,
3-17-	Investigator on March	17, 1967 at 1:30 P.M. Dopy of

	Clerk, U. S. District
1967	Above Search Warrant executed by Wm. J. Gibson, A & TT,
3-17-	Investigator on March 17, 1967 at 1:30 P.M. Dopy of
**************************************	Search Warrant left " On the kitchen table at the Farm
######################################	Premises" together with a receipt for items seized:
	Inventory of items seized attached . Listed on back of
	Search Warrant.
	Inventory made in presence of Spec. Inv. Earl Burnett, and
	U. S. D. M. Carl Gardner and A.B.C. Agent Brooks.
	Charges filed: John E. McElwain
**************************************	

DATE	
	/
Certified to be Mar	ch correct transcript of Docket Entries.  Ch 21, 19, 19, 19